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Self-determination, Identity and International Relations

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Abstract

In this paper, I argue that self-determination constitutes the selves by which it is claimed. I base this argument on a reflexivist conception of identity. The process, I suggest, goes like this. Human groups striving for political independence, autonomy, or a share in state power draw on the norm of self-determination to seek international support and recognition. This norm epitomizes general ideas of freedom, justice and the good life, but it also legitimizes (and illegitimizes) concrete ways of bound and rule political communities. These ideas and rules enter the process by which the group construes as a self. They influence the thinking and acting of the group upon itself, and so get reflected in its constitution.

The conventional phrasing of the self-determination right in official documents reads: “All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”¹ Yet one of the most debated questions has been for long to assert *what is a people* – how to define it and which are its general attributes – in order to determine *who* qualifies as a people and thereby has a right to self-determination. In

¹ This is the formula in the 1960 Declaration Granting Independence to Colonial Countries and Peoples (GA Res. 1514 [XV], paragraph 2), the 1966 United Nations Covenants on Human Rights (article 1, paragraph 1), the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States (GA Res. 2625 [XXV], paragraph 1), and the 1993 Vienna Declaration on Human Rights (A/Conf. 157/23, paragraph 2). In the 2007 UN Declaration on the Rights of Indigenous Peoples, “indigenous peoples” substitutes “all peoples,” the rest of the article being equal (GA Res. 61/295, 13 September, article 3).

the literature, the debate has focused both on the objective social conditions and the processes of subjective identification that lead to the emergence of collective identities. Within the international political organizations, such as the UN and the African Union, those questions also were addressed albeit with a much more restrictive effect. But both literature and politics seem to take the assumption that the 'people' pre-exists and is independent from the claim or the effective episode of self-determination. It is the previous existence of the people, in whatever way it is defined, that seems to justify (or not) the exercise of a right to self-determination.

In this paper I propose a different point of view into this topic. I propose to address self-determination drawing on the broader question of how a corporate identity is constituted that is recognized as a legitimate international actor. This question suggests seeing self-determination as a constitutive norm, in the sense that it establishes the conditions for the possibility of *existing* and *acting* in international society, that is, of *being* an international actor. From this standpoint, I argue that self-determination constitutes the selves by which it is claimed. People claim self-determination and self-determination makes *the* people.

I base this argument on a reflexivist conception of identity. The process, I suggest, goes like this. Human groups striving for political independence, autonomy, or a share in state power draw on the norm of self-determination to seek international support and recognition. This norm epitomizes general ideas of freedom, justice and the good life, but it also legitimizes (and illegitimizes) concrete ways of bound and rule political communities. These ideas and rules enter the process by which the group constructs as a self. They influence the thinking and acting of the group upon itself, and so get reflected in its constitution. In sum, the norm of self-determination constitutes the identities by which it is claimed.

Before proceeding, I shall make three caveats. In the first place, of course self-determination is not all that it takes to be internationally recognized and accepted, in many instances it might even not be necessary. Yet it is one way to achieve that, and a highly valued one by minorities, ethnic groups, indigenous peoples, that is, by oppressed and marginalized people in and by the interstate system. Though the paper is somehow abstract, it should be read with this kind of empirical cases in mind.

Second, seeking international support and recognition might not be the main objective of a 'liberation' movement seeking to self-determine. In what exact measure does the international norm of self-determination influence the constitution of identity of a rebel movement is an empirical question to be answered either on a case-by-case basis, or in relation to other variables that might do for some kind of regularity in a causal argument. Neither way is what is at stake in this paper. Assuming that some influence exists, my aim is to understand the *how* of that process, that is, the mechanism by which that assumed causal connection proceeds.

Finally, also the argument does not deny the pre-existence of some collective identity, in fact it presupposes it. The point has instead to do with the ways by which the group that has this identity project and manages to constitute itself as a political actor. That is, for example, the case when a tribal society under some kind of domination reinvents itself as a 'modern' 'people' fighting for its 'freedom' and claiming international support and recognition. These are the terms of the general idea and norm of self-determination. This also is why the argument is about constitution and not (so much) about causality.

This paper proceeds as follows. In the first section I will set a basic understanding of self-determination both as an official international norm and as a more generic ideology that legitimates an aspiration to freedom from oppression. Then I will present a reflexivist conception of identity based on Georg Herbert Mead's symbolic interactionism, which stresses the idea of the self as an object to itself, and that can base an account of the self as a *project* to itself yet social. But Mead developed his concept of the self for human individuals, and I suspect he would be the first one to take cautions on its application to such entities as corporations, states or self-determination movements. To do that is to assume that these entities *are* people, or at least are *like* people. Yet this is exactly what is being done in IR theory, and in the third section I will address this question in order to justify the move of taking the self in self-determination as a collective one. In the fourth section, I take the relation between norms and identity and directly address the main argument that self-determination constitutes the identities by which it is claimed, clarifying the role of recognition and legitimacy in this process.

The Norm and the Idea of Self-Determination

To begin with, I assume a perspective on self-determination as “a cluster of related norms and concepts” that make both a political ideology and an international norm that goes well beyond its strictly legal application (Hurrell 2007: 333).

The French and the American Revolutions are generally seen as the origin of the modern idea that a people should rule itself.² This idea had a huge impact in European nationalism throughout the nineteenth-century. It rose into a political principle meant to ordering the world in the context of World War I. Vladimir Lenin’s analysis on imperialism connected national movements with class struggle, and proposed self-determination as a general criterion for the liberation of peoples. Woodrow Wilson defined self-determination as the consent of the governed and merged the principle of popular sovereignty with that of national self-determination. Wilson’s main intention was to establish self-determination as a guide for restructuring central European states according to nationalities, but he also meant to offer the world a democratic alternative to soviet ideology, and so he framed his proposals in universal terms. Because of that, though, the idea of the self-determination of peoples turned itself into a political ideal that overstepped Wilson’s purpose and promptly inflamed the political imaginary and action of many groups that felt oppressed and exploited by that they perceived as strangers, especially non-occidental peoples colonized by Europeans (cf. Manela 2001).

But the application of the principle right away showed tensions and contractions, which are being debated until today. The literature on self-determination identifies three major problems, tightly interrelated: the conflicting of self-determination entitlements, the identification of the entity that has the right to self-determination, and the prevalence of the territory over identity as a criterion for bounding the political community.

The UN recognizes 193 ‘nations,’ but it also acknowledges that there are today in the world about 600 linguistic communities and more than 5 000 ethnic groups (Archibugi 2003: 492). The huge majority of these groups necessarily intermingle with other groups in the territories they inhabit, and this is increasingly so with the mass flows of population that came with globalization. In this scenario, it is easy that a claim to self-determination by, for example, an ethnic group conflicts with the right of other

² On the historical evolution of the concept of self-determination see, among others, Cobban (1969), Ronen (1979), and Cassese (1995).

groups to their self-determination. Taking into account that self-determination has not only to do with group rights but also with “the allocation and organization of territorial authority” in the international system (Skordas 2007: 208), and that territory is a scarce resource, this means huge tension between different peoples aspirations to self-determination.

Determining the entities to which refer the self in self-determination has also been a conundrum. This results from the word ‘people’ to name the subjects of the right to self-determination, which is a notion ambiguous and evasive. The quote from Woodrow Wilson’s secretary of state Robert Lansing is a classic: “On the surface it seemed reasonable: let the people decide. [But] it was in fact ridiculous because people cannot decide until someone decides who the people are” (Lansing 1991, cit. Castellino 1999: 525). Mayall (1999) notes that attempts to assess the existence of a people and its boundaries objectively always reveal to be speculative and unreliable exercises and so its resolution must be pragmatic and on a case-by-case basis. In practice two political processes operate. A population can have the inner conviction that it constitutes a people, and self-assert as such. And there is the external recognition of the existence of a people by admitting it in the multilateral international organizations. The political problem has been how to reconcile both processes, and also how to manage recognition without compromising the international order.

Political identity – like political boundaries – are contingent matters. This is the crucial point. What is contingent cannot be settled by rational argument or a democratic vote. For political argument to take place, boundaries must be in place, but they lie behind or beyond such argument all the same. It was the reluctant recognition, born of bitter experience between the wars, that this was indeed the case, that led the international community to impose an official interpretation on the principle of self-determination after 1945. (Mayall 1999: 481)

This official interpretation has mainly consisted in two aspects: to subordinate identity to the territory, and to freeze political boundaries.

The 1960 UN Declaration Granting Independence to Colonial Countries and Peoples (GA Res. 1514 [XV], 14 December) recognized that colonial peoples had a

right to self-determination, but a conflict arose on how to determine who exactly held such right. The “Belgian thesis” argued that it was to be applied to all peoples, even those within independent states. The “salt water thesis” or “blue water thesis” tried instead to limit it to the whole population that inhabited a territory colonized by some western empire, and to that end defined colonialism as geographical separation and ethnical difference from the administering country. This last one thesis won and its position was further reinforced by a subordination of the right to self-determination of peoples to the principle of territorial integrity of states. All this meant that the right was denied to ethnic or cultural groups within states. Later normative developments within the UN and the Organization of African Unity extended the right to self-determination to peoples under foreign or racial domination, but on the other side further contributed to reproduce and rigidify colonial borders, as well as to constitute self-determination as entitlement to a western-styled statehood.

Yet at those times, self-determination still had a highly progressive political meaning and a wide consensus on its application to colonies was apparent. From the end of the Cold War until the present, however, prevails among states and international organizations some anxiety about ethnic and nationalist intolerance and conflict associated with claims to self-determination, and also with the presumed chaos that tolerance with ethnic secessionism could give rise. Because of this, a tendency emerged to devise and propose a variety of power-sharing and devolution arrangements among existing states to resolve self-determination conflicts (e.g. Freeman 1996: 751; Danspeckgruber 2000: 17-20; Jeong 2003: 233-240; Chandhoke 2008; Weller 2008). This tendency was made explicit in the Declaration on the Rights of Indigenous Peoples, which qualified their right to self-determination by stating the form it is supposed to assume, as a “right to autonomy or self-government in matters relating to their internal and local affairs” (article 4). Still a conditional right to secession is generally admitted but only when and where there are gross and systematic human rights violations by a given state (see Buchanan 2006).

Notwithstanding all this restrictions, the concept of self-determination still is a prominent banner in the struggle for rights and against oppression of many marginalized groups within states and in the international system. Self-determination describes a motive, a claim, and from the perspective of these groups signifies legitimacy. These

groups interpret self-determination in ways that mirror their own struggles, experiences and histories and whose reference to international law and its official interpretations is mainly instrumental.

In any case, and especially when there are claims to national political independence, the way in which the international system functions constrains many of these struggles to a scenario of political violence, whether set off by themselves or by the state against which they present their claims, in what some authors have been calling the “self-determination trap” (Weller 2005; Perduca 2006; Weller 2008). The international system functions in ways that favor an idea of order and the continuity of existing states, which does not favor non-state groups aspirations to independence or autonomy.

This being so, how come self-determination is such a resilient idea? If official documents and interpretations increasingly restrict the right to self-determination, why do so many groups stick to it as an aspiration and a legitimating motive? At this point it is useful to introduce a distinction between the norm of self-determination as it is officially interpreted by dominant and institutional powers, and the broader idea of self-determination that animates struggles for independence, autonomy, or rights.

Dov Ronen is of utility here, as he looks into that more fundamental something to which the modern concept of self-determination refers. The *quest* for self-determination, as he defines it, is “the fundamental aspiration of human beings to control their own lives, to be the masters of their own destinies for the attainment of ‘liberty’ and ‘happiness’” (Ronen 1979: ix). It is this “basic drive” that motivates people and that is at the root of self-determination movements and struggles. The *idea* of self-determination, in turn, is the modern interpretation of that basic drive. It is tightly linked with this other “idea of an ‘inalienable right’ to freedom from ‘them’” (Ronen 1979: 6). It is the combination of these two ideas that seems to justify and legitimate struggling against perceived oppression, to rebel against unjustifiable subordination. The official written words on self-determination merely spread that general idea, and do not by themselves motivate people to struggle, which also explains why, despite being increasingly restrictive, they still are not that much effective in containing and resolving self-determination claims and conflicts.

The resilience of the idea of self-determination, and the protracted character of many conflicts in which it is claimed, has much to do with the fact that the idea internalizes into the group's own identity, constituting its self. I will now turn to a reflexivist theory of identity to better try to understand this process.

A Reflexivist Conception of Identity

I will draw my account of the self on Georg Herbert Mead's symbolic interactionism. The main vantage point I see in adopting Mead's theory is that it tries to reconcile an account of self as being essentially socially constituted with an acknowledgement of individual freedom, creativity and initiative. It demonstrates the mechanism by which the individual gets its individuality at the very moment he/she is socially constituted; how his/her original nature and the social conditioning to which he/she is subjected interact to make a unique self; how the very possibility of original self-expression and self-assertion is dependent on the internalization of social structure.

According to Mead, the main trait of the self is that "it is an object to itself" (1967 [1934]: 136), that is, it is reflexive, it is subject and object at the same time. The self can think about itself, which means the individual looking into it self from the 'outside', as if he/she were another person, in fact adopting the perceived viewpoint of other people upon him/herself. And this is why the self is a social process. It is because it is only made possible by the internalization of the structure of social interaction. The ability to have a conversation by means of significant symbols is only possible when the individual takes in his/her mind the attitudes of the others. Having a self is to have an inner conversation, and so it is dependent upon the individual mind to have a social structure. The individual experiences itself indirectly from the viewpoint of the other people with whom he interacts, or from the more general and organized viewpoint of the community at large. In this process, the individual takes note of the attitudes and expectations of the particular or general others towards him/herself, and at the same time is able to put him/herself in the place of the others. It is from this perspective of others that the individual learns to look into itself as another person and develop a self. So, even though from thereon a given self would completely isolate itself, because its

emergence was dependent on social interaction, its nature still would always be socially structured. All of this implies that the emergence of the self requires the pre-existence, logical and temporal, of the group.

The self reflects a particular aspect of the overall social organization but this does not imply that individuals always follow social norms as passive beings, or that they are deprived of originality, initiative, creativity, or a critical sense. Each self reflects only a particular aspect of the community, which is singular and makes for its individuality. Besides this, Mead's famous distinction between an 'I' and a 'Me' as phases of the self, also accounts for what is original and unexpected in the self. The 'I' expresses that which is original and unexpected about the self, while the 'Me' expresses the generalized other in it. The 'Me' takes the attitudes of others and the 'I' reacts to them, this reaction being either by adjusting itself to social expectations or by fighting them, and so either reproducing or transforming the situations in which the individual is located. Self-consciousness arises when the individual distinguishes the two phases in him/her self, and consciously manages its inner dialogue. At this moment, he/she achieves some reflective distance from society expectations.

To say that the individual takes the others' attitudes and expectations into account does not mean that he/she will submit to them. It means that he/she acknowledges others' perspective and internalizes it. He/she has an idea of how the others see him/her, what their expectations are, what will they allow. But the individual still retains the choice of meeting those expectations, or otherwise defying, negotiating, manipulating, or outright rejecting them. In all these instances, we can say the individual still is structuring his/her attitude and behaviour with reference to others.

The connection Mead establishes between each phase of the self and claiming rights is especially relevant to this paper. The conditions that make for us a self are the same conditions that make us members of a community and so holders of rights. "We cannot have rights unless we have common attitudes", says Mead (1967 [1934]: 164). Only by taking the attitudes of the generalized other that are organized in membership and position in the community, can the individual claim for the recognition of the rights and values that are due to his/her self in virtue of that membership and position. Dignity comes with it.

Sometimes, on the contrary, it is the original response the individual assumes towards society that gives him/her a sense of importance and dignity. And it can be so even when it is taken against the 'Me' and arouses disapproval from the community. This does not mean that community stopped being the source of the self, but it means the individual is taking the attitudes of another community:

The demand is freedom from conventions, from given laws. Of course, such a situation is only possible where the individual appeals, so to speak, from a narrow and restricted community to a larger one, that is, larger in the logical sense of having rights which are not so restricted. One appeals from fixed conventions which no longer have any meaning to a community in which the rights shall be publicly recognized, and one appeals to others on the assumption that there is a group of organized others that answer to one's own appeal – even if the appeal be made to posterity. (Mead 1967 [1934]: 199)

This process is epitomized in the action of great personalities, which represent and actualize a new order that was already implicit but not realized in their contemporary institutions (Mead 1967 [1934]: 216-218).

Mead gives us an interesting framework to base a perspective of the self as a project, a symbolic project activated and continuously reinvented by the individual himself, drawing on the symbols that are significant within the community to which he/she intends to identify and belong. This is the general perspective I take to address the question of how self-determination, as a norm of international law, as well as a more general modern idea, constitutes international political selves. But because Mead was talking about individual human beings' selves, and not collective ones, before I must justify taking his theory to address collective selves.

On the Ontology of the Self in Self-Determination

Who's the self in self-determination, the individual or the group? The literature on self-determination does not often addresses this question, at least explicitly, and instead tends to focus on the concept of 'people.' But when the question is addressed it

is assumed that only the individuals self-determine, the self-determination of the group being the outcome of the self-determination of the individuals that compose it. This is Ronen's argument:

[T]he 'self' in self-determination is the singular, individual human being and not any aggregation of human beings. The quest for self-determination, at its core, is not a national or any other group aspiration, but the aspiration of the individual human being to the vague notions of 'freedom' and 'the good life.' It is only because the institutionalization of individual self-determination is not (or not yet) possible that the *aggregation* of 'I's', the 'us,' is substituted. But each aggregation is only a temporary 'us,' because it does not, cannot, provide self-determination for each 'I.' ...Because the new 'us' often becomes just another framework that appears to limit the freedom of the individual, of the real 'self,' the perception of a new 'them' is prompted, and hence the formation of a new 'us' [...] (Ronen 1979: 8, author's emphasis)

Referendums are the most common device by which international community conducts and supervises self-determination processes. By their individualist nature – one person, one vote – they rest on that assumption. Yet there is 'out there' the idea of a collective political self. This may be a fiction but should not be treated as an illusion.³ It is stated in official documents: 'All peoples have the right to self-determination' (my emphasis). The IR discipline rests on the assumption that states, and international actors in general, are unified entities that form a system or even a society or community. Most of the time, IR theories see these entities as a kind of 'people' that interact. Even in everyday talk or in the media, countries, rebel movements, corporations, etc. are portrayed as a kind of selves that say, make, and claim things. In sum, the idea of collective selves appears in many discursive forms, and so we can say it exists at least as culture.

Approaching self-determination from an IR perspective makes one seriously consider analysing the self as a group self, by that fact as a *sui generis* entity, and not merely the sum of the individuals that composed it (cf. Durkheim 1984 [1895]). Ronen theory falls short of addressing the fact that at some point the collective identification

³ Du Gay argues in these terms with regard to the idea of the 'person' as 'free agent' (Gay 2007: 21, 68).

process results in the creation of something that is institutional and exceeds the sum of the individuals, taking ‘a life of its own’, whether it is a national liberation movement, an ONG, a nation-state, etc. These are the units at the level of which IR theory operates. Seen from the perspective of the ‘international’ those entities seem to get a ‘personality’ of their own, and so perhaps it is useful to treat them *as if* they were people with selves.

In fact this is not an entirely undisputed assumption. It has been at the core of an important debate within the reflexivist branch of IR theory on the ontological nature of the state. Though focused on the state, this debate still can be read (and most authors suggest that) in terms of the international actor in general. Basically, it has addressed two interrelated questions: Is the international actor something that really exists? Is the state or the international actor in general a person? There are a variety of different combinations of answers to these questions, but it is not my purpose to address this debate here.⁴ It suffices to add to what I already said that I envision lots of potential of taking the person as *metaphor* to expand our understanding of states and other kind of international actors, providing that, as with all metaphors, one always is aware of its limits.

The relevant point is to see social groups at the moment in which they represent themselves and are represented by others (Ayyash 2010: 118, n. 3), and these representations more often than not indeed display anthropomorphic aspects, groups being represented as persons, selves, agents, actors. This appears in many forms, material and conceptual: statues, anthems, myths, media reports, diplomatic protocol rules, international law, etc.

International Norms and Identity Constitution

Self-determination is an international norm that performs much more than simply to regulate certain kind of conflicts (mostly conflicts over territory and/or

⁴ This debate emerged with Alexander Wendt’s article “Anarchy is What States Make of It” (1992). In 2004, the *Review of International Studies* published a symposium to debate Wendt’s thesis that states are real people (Jackson 2004, 2004; Neumann 2004; Wendt 2004; Wight 2004). On the general topic of the ontological nature of the state see also Doty (1996), Neumann (1996), Bartelson (1998), Campbell (1998), Weber (1998), Wendt (1999), Zehfuss (2001), Schiff (2008), and Guillaume (2009). I closely follow Ringmar’s (1996) position on this topic.

political power, representation and legitimacy). Self-determination constitutes the very identities by which it is claimed.

Norms can be at the same time regulative and constitutive (Onuf 1989: 62; Ruggie 1998: 22-24). The regulative aspect of norms draws attention for its causal effects and mainly has to do with reproducing the system. The constitutive aspect has instead to do with the institutional foundations of the system. It concerns the logic, the structure of the 'game' actors play. It sets their identities and roles. In its constitutive aspect, norms set the realm of what is possible, what makes sense, what is desirable in a given context.

Constitutive effects are deeper than the regulative ones. They do more than being points of reference for actors to organize their own interests, preferences and behaviours. They constitute actors themselves. How? Taking Mead's words, I suggest that norms represent aspects of the community's general attitudes and thereby are crucial to the organization of the self, that is, to provide an ability to reflect upon itself and act in community. In this sense, norms (among other things) enter the reflexive process by which an entity such as a group becomes a self. They contribute to the structure that allows that internal conversation in which the self takes itself as an object of thinking and agency, becoming a project.

That the constitutive aspect of rules is deeper than the regulative one also implies that it can have behaviour consequences as well, and so, in a sense, also be causal. How do constitution and causality relate? Norms rule the construction of the situation in which a set of choices make sense (Onuf 1989: 261), which is a constitutive effect. But so norms are "the means which allow people to pursue goals, share meanings, communicate with each other, criticize assertions, and justify actions" (Kratochwil 1989: 11). More explicitly, Lebow states that "[c]onstitution addresses the question of who becomes actors, how they are recognized as such and *how they must behave to sustain their identities and status*" (2009: 212, my emphasis). What people are is also how they behave. Constitutive causality can thereby be defined as happening when "antecedent conditions, events, or actions are 'significant' in producing or influencing an effect, result, or consequence" (Ruggie 1998 cit. Lebow 2009: 213). The point here is the word 'significant' because it means that the cause causes an effect by giving it meaning, and so the effect is dependent on the cause both in its facticity and in

its logic, in its meaning. Cause and effect here are not sharply distinct events, as they must be in 'straight' causality. Constitutive causality looks into the nexus between cognitive frames and behaviour (Lebow 2009: 239). It has much more to do with the question of 'how' than with the question 'why,' the first one aiming to look into the mechanisms by which a cause produces an effect. It also calls attention to reasons, justifications, to the importance of public discourse and the intentionality it conveys, and because of all that hermeneutical methods on discourses analysis are the most appropriate to address constitutive arguments (Fierke 2007, 2010).

How does all this implicate in the analysis of the relation between the norm of self-determination and the constitution of collective selves? A crucial point in this relation is legitimacy. Legitimacy influences actors' perceptions of common sense and justice and by this way it can transform its identities (Bachand and Lapointe 2010: 280-281). To address this point I will consider the two interrelated moves of claiming and struggling for self-determination by a group, and of recognizing the existence of an actor and the legitimacy of its claim and struggle by the international society.

A major constitutive causal effect of the self-determination norm and idea is the emergence of groups and movements which claims' and struggles' are significant and not merely noise, that is, make some sense in the international realm and so challenge other actors behaviour. This is because a 'right' is at stake. According to Kratochwil, claiming is what distinguishes rights from other kind of norms. A right is something that "has to be 'exercised', i.e., requires activation by the right-holder" (1989: 163). The concept of right thus immediately points to a social relation. With Mead, we saw that to claim rights the individual has to be member of a community. Yet the norm of self-determination has to do with entering the community. This means that, logically, only those that are not members of the community will claim it. Yet this means the community tends not to recognize them. This logical contradiction has much to do with the 'self-determination trap' that was addressed earlier. It also concerns the very special character of the right of self-determination.

Erik Ringmar, drawing on Hegel, explicitly connects the concepts of right, claim and recognition, in a way relevant to think about self-determination. A right is

fundamentally a *right to recognition*, and as such it is intrinsically related to the development of a personality and to freedom from natural determination. To

Hegel, the law is thus not ...a guarantee of a pre-constituted, underlying individuality, but instead something which human beings *merit* as a result of the struggle for recognition in which they engage. (1995: 94, author's emphasis)

In this struggle for recognition, international law provides the frame that marks out recognition:

The law gives substantive content to the actions that political entities perform, but in addition, it also provides a standard by which political entities may be recognized as entities *of a certain kind*. (Ringmar 1995: 87, author's emphasis)

And so the expectation of a desired recognition has behavioural consequences that are constitutive of identity:

To abide by the law is thus not primarily a matter of 'being good', but rather a matter of submitting oneself to a rule which makes it possible '*to be*' in the first place. (Ringmar 1995: 95, author's emphasis)

The law establishes the conditions under which identity can be claimed. Existence is thus at the same time subjection and right: subjection to a normative order, which provides for the right to exist. But existence is also tightly linked with action.

The norm of self-determination is perhaps the international norm that closely construes these points being made. Human groups draw on the norm of self-determination to both bound political communities and struggle for international recognition. These two processes of identity construction and recognition are in fact tightly connected processes. Intuitively, we tend to see them as a sequence, constructing identity first, and then seeking international recognition, yet the connection is a more round one. International recognition can be already present in identity construction, in a constitutive sense, that is, what the identity reveals itself to be is dependent on a recognition relation, whether actual or expected. This can be so when an external powerful actor (a state or an international organization) dictates conditions for recognition, these conditions concerning the nature of the self – population, territory, and political organization, for the most part. More often and more subtle however,

identity construction reflexively takes into account general norms and expectations in view of recognition.

Self-determination, both as a norm of international law and as a broader idea of 'liberty,' supports a collective reflection by a group upon itself as a political community, and orients its acting upon its own identity in view of membership in a wider community.

In sum, when human groups claim self-determination they are performing both strategic behaviour and constitutive practices, seeking objectives and making selves.

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